IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE THIRD DAY OF NOVEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE J.CHELAMESWAR

and
THE HON'BLE MR JUSTICE GODA RAGHURAM

WRIT PETITION NO : 20184 of 2004

Between:

H. Manmadha Rao, S/o. Krishna Murthy,
Quality Control Sub-Division, Srikakulam.

..... PETITIONER

AND

1 The Government of Andhra Pradesh, Represented by its Principal Secretary to

Government, Irrigation & Command Area Development Department, A.P.

Secretariat, Hyderabad.
2 The Engineer-in-Chief (Admn.Wing), Irrigation & CAD Department,

Erramanzil, Hyderabad.
3 The Superintending Engineer, Quality Control Circle, Dawaleswaram,

Rajamundry, East Godavari District.
4 R.V. Satynarayana, S/o. Chinna Appalaswamy,
Quality Control Sub-Division, Rajam, Srikakulam District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an order or direction or appropriate writ more particularly one in the nature of Writ of Mandamus directing the official Respondents to retain and continue the petitioner as Deputy Executive Engineer, Quality Control Sub-Division, Srikakulam till the disposal of the O.A.No. 5181/2004 filed by the 4th Respondent before the

Hon'ble A.P. Administrative Tribunal and pass such other and further orders.

Counsel for the Petitioner: MR.GOPALA RAO GANDRAKOTA

Counsel for the Respondents.: GP FOR SERVICES I

The Court made the following:

ORDER: (PER THE HON'BLE SRI JUSTICE GODA RAGHURAM)

This writ petition is preferred by the third respondent in O.A.5181 of 2004 against an order of the A.P. Administrative Tribunal, dated 29.09.2004.

2. The fourth respondent herein filed the O.A. challenging the order of the State Government in G.O.Rt.No.1057, dated 30.08.2004, by which an earlier order in G.O.Rt.No.1031, dated 27.08.2004 was cancelled. As a consequence of G.O.Rt.No.1057 dated 30.08.2004, the fourth respondent who was posted at Quality Control Sub-division, Srikakulam was reposted to accommodate the writ petitioner who was posted from Tekkali Irrigation to Quality Control Sub-division, Srikakulam. The Tribunal, by the order dated 29.09.2004 suspended the operation of G.O.Rt.No.1057 dated 30.08.2004.

3. The case of the writ petitioner is that pursuant to the orders in G.O.Rt.No.1057, he had already joined at the Quality Control Subdivision of Srikakulam and that the Tribunal was in error in suspending the order in G.O.Rt.No.1057, dated 30.08.2004.

4. The O.A. pending before the Tribunal relates to a transfer dispute between the petitioner and the fourth respondent herein. In exercise of its discretion, the Tribunal has passed an interim order.

We find no occasion or justification for interfering with the interim order of the Tribunal. There are no merits in this writ petition.

5. Accordingly, the writ petition is dismissed at the admission stage. The Tribunal may consider expeditious disposal of O.A.No.5181 of 2004.

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J.CHELAMESWAR, J

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GODA RAGHURAM, J

Dated 03rd November, 2004.

YCR/MRK

To

1. The Principal Secretary to Government, Government of Andhra

Pradesh, Irrigation & Command Area Development Department, A.P.

Secretariat, Hyderabad.
2. The Engineer-in-Chief (Admn.Wing), Irrigation & CAD Department,

Erramanzil, Hyderabad.
3. The Superintending Engineer, Quality Control Circle, Dawaleswaram,

Rajamundry, East Godavari District.
4. 2 CCs to G.P for Services I, High Court Buildings, Hyderabad. (OUT)

5. 2 C.D. copies.